

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MATHEW WILLIAMS,

Case No. 3:23-cv-00638-ART-CSD

Petitioner,

ORDER

v.

STATE OF NEVADA, *et al.*,

Respondents.

*Pro se* Petitioner Mathew Williams has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 1-1 (“Petition”).) Petitioner has not properly commenced this habeas action by either paying the standard \$5.00 filing fee or filing a complete application for leave to proceed *in forma pauperis* (“IFP”). Pursuant to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an IFP application on the approved form and includes three specific documents: (a) the prisoner’s financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a copy of the prisoner’s account statement for the 6-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2. Petitioner has until February 12, 2024, to either pay the \$5 filing fee or file a completed IFP application.

Further, Petitioner did not file his petition on the appropriate form or in substantial compliance with the form but, instead, hand-wrote a petition on blank paper. His hand-written petition fails to disclose the required information. The form is important as it provides the court with necessary information to conduct a preliminary review of the petition. Accordingly, on or before February

12, 2024, Petitioner must file an amended petition on the court's form.<sup>1</sup> In doing so, Petitioner is advised to follow the instructions on the form. Petitioner must clearly title the amended petition as such, and he must place the case number, 3:23-cv-00638-ART-CSD, in the designated space.

It is therefore ordered that on or before February 12, 2024, Petitioner must (1) file an IFP application on the approved form with the three supporting documents listed above, or (2) pay the \$5 filing fee.

It is further ordered that Petitioner must file an amended petition on the court's form on or before February 12, 2024.

It is further ordered that Petitioner's failure to timely comply with this Order will result in the dismissal of the Petition without prejudice and without further advance notice.

It is further ordered that the Clerk of Court send Petitioner (1) one blank copy of the IFP application form for inmates along with instructions, (2) one blank copy of the form petition for a writ of habeas corpus under 28 U.S.C. § 2254 along with instructions, and (3) a copy of the Petition (ECF No. 1-1).

Dated this 20<sup>th</sup> day of December 2023.



ANNE R. TRAUM  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Petitioner remains responsible at all times for calculating the applicable statute of limitations. By ordering Petitioner to amend his petition, the Court makes no finding or representation that either the original or amended petition will be considered timely.